

Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

Randy Lee Boag and Katherine Ann Boag,  
individuals and the marital community  
comprised there of,

Plaintiffs,

v.

Litton Loan Servicing; HSBC Bank USA,  
NA.; Northwest Trustee Services Inc.;  
Mortgage Electronic Registration System; &  
Does 1-10; Ownit Mortgage Solutions Inc.;  
Discovery Financial, Inc.

Defendants.

CASE NO: 3:11-CV-05838-BHS

ORDER RE MOTION TO COMPEL  
DEPOSITION OF RANDY L. BOAG AND  
KATHERINE A. BOAG

---

HSBC Bank USA, National Association, as Trustee for Ownit Mortgage Loan Trust,  
Mortgage Loan Asset-Backed Certificates, Series 2005-2's ("HSBC Bank, as Trustee")  
Motion to Compel Production of Documents from Plaintiffs Randy L. Boag and Katherine A.  
Boag ("Motion to Compel") was noted for consideration on July 5, 2013. After consideration  
of the papers filed by HSBC Bank as Trustee with respect to this motion, and Plaintiffs having

not made a response, the Court GRANTS HSBC Bank, as Trustee's Motion to Compel and finds that Plaintiffs have not complied with their discovery obligations in failing to appear at their depositions. The Court hereby orders:

1. HSBC Bank, as Trustee's Motion to Compel is HEREBY GRANTED;
2. Plaintiffs Randy Lee Boag and Katherine Ann Boag shall each appear at their respective depositions, within 15 days of the entry of this order;
3. The Court further requires Plaintiffs to pay HSBC Bank, as Trustee monetary sanctions in the amount of \$900.00 also within 15 days of the entry of this order for the appearance at the depositions on June 19, 2013 and June 20, 2013 and for Defendant's costs in preparing the instant motion to compel;
4. The Court further requires Plaintiffs to pay HSBC Bank, as Trustee monetary sanctions in the amount of \$606.00 for the costs incurred for the June 19, 2013 and June 20, 2013 depositions within 15 days of the entry of this order;
5. The Plaintiffs failure to comply with the rules of discovery may result in terminating sanctions, including the dismissal of Plaintiffs' claims against Defendants Litton Loan Servicing LP, HSBC Bank USA, National Association, as Trustee for Ownit Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-2, and Mortgage Electronic Registration Systems, Inc.;
6. The July 15, 2013 deadline for motions relating to discovery is extended to August 1, 2013 as to Defendants Litton Loan Servicing LP, HSBC Bank USA, National Association, as Trustee for Ownit Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-2, and Mortgage Electronic Registration Systems, Inc. *only*; and

7. The August 12, 2013 discovery completion deadline is extended to September 6, 2013 for Defendants Litton Loan Servicing LP, HSBC Bank USA, National Association, as Trustee for Ownit Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-2, and Mortgage Electronic Registration Systems, Inc. *only*.

IT IS SO ORDERED.

DATED this 16<sup>th</sup> day of July, 2013

A handwritten signature in black ink, appearing to read "Benjamin H. Settle", is written over a horizontal line.

BENJAMIN H. SETTLE  
United States District Judge